

AN INQUIRY INTO THE PROBLEM OF ILLEGAL MIGRATION FROM BANGLADESH AND ITS IMPACT ON THE SECURITY OF INDIA

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ABSTRACT

Illegal migration to India from its neighbouring countries, particularly from Bangladesh, has been posing a serious security threat for the whole nation. Since security is a matter of serious concern for any nation, India has to spend a huge amount per year for maintaining a very high security alert to prevent any kind of disturbances including insurgent activities within its territory. Till date, India has faced many terrorist attacks and it has been proved that in most cases, the Islamic terrorist organisations, having their bases in the neighbouring countries, were behind such attacks. Besides being a security threat, the illegal migrants are also eating up the economy of the country and have also disrupted the social and political stability of the country. Therefore it is high time that India takes stringent measures against the illegal migrants who have become a real threat to the security of the country.

Keywords : Illegal migration, security, mass influx, agitation, fundamentalist.

INTRODUCTION

India has been confronting a large scale influx from Bangladesh since a very long time. The large scale migration from Bangladesh to India has been possible mainly due to the porous India-Bangladesh border of 4,096 kilometres, the fencing of which has not been completed so far. Among the other states of India, Assam (a state in the north-eastern part of India) is the worst affected by the influx of illegal migrants from Bangladesh. This mass influx which started during the British rule, gradually gained momentum in the later years and today such exodus has changed not only the demographic pattern of Assam, but also the social, economic and political conditions of the entire state.

WHO IS AN ILLEGAL MIGRANT?

Unlike a refugee, an illegal migrant is a person who crosses an international boundary and without any valid document, enters into another country for the purpose of carrying on any illegal or anti-social activities in that country or for other economic or political purposes. According to Section 2(b) of The Citizenship Act, 1955, an "illegal migrant" means a foreigner who has entered into India -

- (i) Without a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf.

(ii) with a valid passport or other travel documents and such other document or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time.

Besides these provisions, there are some other aspects also which need to be discussed at this point to have a better understanding of the definition of illegal migrants in Assam. *First*, it is to be noted that until 1947, Bangladesh (then East Bengal) was a part of British India and the people could move across various parts of the country without much restrictions. But after partition of India and Pakistan, the Muslim-dominated East Bengal and the Sylhet district of Assam became a part of Pakistan and as a result, a large number of Hindu refugees migrated to India. The Indian Constitution made special provisions for granting citizenship to these refugees from Pakistan for a limited period of time (until January 1, 1966). Although the refugees who entered India during that period were required to go through a process of naturalization, most of them did not follow the legal procedures and thus became a part of the illegal immigrants. *Second*, according to the 'Indo-Bangladesh Treaty of Friendship, Cooperation and Peace', also known as the 'Indira-Mujib Treaty', signed between then Indian Prime Minister Indira Gandhi and Prime Minister of Bangladesh Sheikh Mujibur Rahman in 1971, India agreed to take the responsibility of all migrants who entered India on or before March 24, 1971. Under this treaty, any migrant, irrespective of their religion, who entered Assam before the cut-off date. i.e., March 24, 1971, would not be an illegal migrant in India. *Third*, the historic Assam Accord which was signed, after the six year long Assam Agitation (1979 - 1985, one of the biggest student-organised movements in the world), between the All Assam Students Union (AASU), All Assam Gana Sangram Parishad (AAGSP) and the Government of India, stated that anybody who came to Assam from Bangladesh on or after March 25, 1971 is not a citizen of India, but an illegal migrant. This Accord also provided that those who came to Assam between January 1, 1966 and March 24, 1971 could apply for Indian citizenship only after expiry of a period of ten years. Thus, those who crossed the international border and entered Assam before March 25, 1971, became citizens of India through the legal process similar to naturalization.

FACTORS RESPONSIBLE FOR THE ILLEGAL MIGRATION

The mass movements of population from Bangladesh to Assam is mainly because of two factors. The first and the most common factor is the desire to have good living conditions through better job opportunities. Since Bangladesh has a very high population density (964 per sq. Km., according to 2011 estimates) due to uncontrolled growth of population, it has given rise to a serious crisis of living space in the neighbouring country. Also the frequency of natural disasters such as floods and cyclones is quite high in that country and as such a large number of people become homeless every year due to such natural calamities and these people then move towards the neighbouring countries like India in search of better living conditions.

The second important factor which has contributed to the mass influx from Bangladesh is religious persecution of the Hindus and Buddhists forcing them to leave

their homes. Although majority of the the illegal migrants entering Assam in recent years are from the Muslim community, a large number of Hindu Bangladeshis have also migrated to various parts of India as a result of harassment and discriminatory treatments meted out to minorities living in Bangladesh. Besides, there are some other factors such as help extended to the illegal Bangladeshi migrants by certain political groups in India as part of their vote-bank politics, help extended to such migrants by the anti-social elements, secret planning of future expansion of the territory of Bangladesh, presence of strong pro-Bangladesh lobby in India and the porous India-Bangladesh border.

GRAVITY OF THE SITUATION

The United Nations Department of Economic and Social Affairs (UN-DESA) had released a report on 11 September, 2013 relating to international migration which stated that “In 2013, persons from Bangladesh residing in India constituted the single largest ‘bilateral stock’ of international migrants in South Asia (3.2 million)”. [1]

According to the Group of Ministers’ (GoM) Report on National Security, which was made public on 23rd May, 2001, illegal migration has generated a host of destabilizing political, social, economic, ethnic and communal tensions. Politically, the Bangladeshi migrants are in a position to influence the results of the elections in a large number of constituencies in the North East (about 32% of the constituencies in Assam). Economically, increased pressure on land, resulting in depletion of forest wealth, undercutting of wages of unskilled jobs, forcible occupation of Government land by the migrants and a host of other such issues, generate a ripple effect in the entire North East. The GoM also observed that illegal immigration from Bangladesh has led to demographic upheaval and generated serious communal, political, social and economic tensions and conflicts in several areas of the North-east of India. [2]

The gravity of the situation arising out of illegal migration from Bangladesh was also highlighted by the former Governor of Assam, Lt. General S.K.Sinha in his report submitted to the President of India in November 1998. In his report he stated “The unabated influx of illegal migrants from Bangladesh into Assam and the consequent perceptible change in the demographic pattern of the State, has been a matter of grave concern. It threatens to reduce the Assamese people to a minority in their own State, as happened in Tripura and Sikkim. Illegal migration into Assam was the core issue behind the Assam student movement. It was also the prime contributory factor behind the outbreak of insurgency in the State. Yet we have not made much tangible progress in dealing with this all important issue. There is a tendency to view illegal migration into Assam as a regional matter, affecting only the people of Assam. Its more dangerous dimension of greatly undermining our national security, is ignored.” He further stated “This silent and invidious demographic invasion of Assam may result in the loss of the geo-strategically vital districts of Lower Assam. The influx of these illegal migrants is turning these districts into a Muslim majority region. It will then only be a matter of time when a demand for their merger with Bangladesh may be made. The rapid growth

of international Islamic fundamentalism may provide the driving force for this demand. In this context, it is pertinent that Bangladesh has long discarded secularism and has chosen to become an Islamic State. Loss of Lower Assam will sever the entire land mass of the North East, from the rest of India and the rich natural resources of that region will be lost to the Nation.”[3]

The Supreme Court of India also expressed concern over the problem of illegal migration from Bangladesh. During the last week of February 2001, while hearing a Public Interest Petition, the Court observed that the Bangladeshi migrants “are eating into the economy of the country, and to a large extent, have become a security threat”. The bench also criticized the Union Government for being indifferent to resolve the issue and recommended that the government take exemplary steps to tackle the illegal migration, including deportation. In the petition it was alleged that over one crore (10 million) Bangladeshi migrants had illegally crossed over to India and were causing a severe strain on the resources of West Bengal as well as the North-eastern states. The case sought a direction from the apex Court to the Union Government to identify these Bangladeshis and deport them with the help of agencies such as National Human Rights Commission (NHRC).[4]

However, Bangladesh has always denied the fact that its citizens have illegally migrated to India, but according to the census reports of Bangladesh, nearly 3.5 million people disappeared from East Pakistan (now Bangladesh) between 1951 and 1961 probably as a result of partition. Another 1.5 million may have entered India between 1961 and 1974 and about 2.5 million refugees who came to India during Bangladesh war of liberation in 1971, probably did not go back and stayed in India. Moreover the names of two million missing voters had been deleted from the Voters’ list of Bangladesh during 1991-95. All these point towards large-scale immigration from that country to India.

A SECURITY CONCERN FOR INDIA

Migration has come to be regarded as a security threat by most countries facing this problem and particularly in case of India where illegal migration from Bangladesh has become rampant. Threat to security in India arises mainly due to the presence of large numbers of illegal Bangladeshi migrants most of whom are indulged in illegal and anti-social activities and are continuously trying to create havoc in the country.

However, it was not until the Chinese aggression of 1962 that the Congress Governments of Centre and the State came to realise about the possible dangers of the continuous influx of the Muslims to Assam from East Pakistan. During the war, the Indian Army deserted the frontier and retreated without even firing a single round of bullet and the people of Assam received a ‘farewell message’ from the then Prime Minister Jawaharlal Nehru through All India Radio, in which he stated “Our heart goes to the people of Assam”. It was seen that in some places of Assam like Darrang and Nagaon districts where Bangladeshi migrants were in majority, Pakistani and white flags were flown to avert possible Chinese air attacks. This incident was an eye-opener

for the Indian leaders which compelled them to think seriously regarding the dangerous situation that prevailed in Assam due to the presence of the illegal migrants. This led to the adoption of a scheme by the Indian Government for detection and deportation of the infiltrators from Assam. Initially the scheme was known as PIP (Pakistani Infiltration Prevention) Scheme, which was later on renamed as PIF (Prevention of Infiltration of Foreigners) Scheme after creation of Bangladesh in 1971. Besides Assam, the scheme was soon extended to the States of Meghalaya, Tripura and West Bengal. A Border Organisation was set up under the scheme, which was deployed for identification and deportation of the illegal migrants from Bangladesh.

Meanwhile, many Muslim militant as well as fundamentalist groups came into existence in Assam who found Assam to be a very fit place for carrying on its pre-planned activities. They were and are still operating training camps at places near the Bangladesh border where members of the militant outfits receive training for using various types of weapons. On successful completion of their training, these well-trained members enter India in the form of illegal migrants for creating all sorts of disturbances and violent activities in the country.

Their strategy called the 'Internal Encirclement of India' is to Islamise the border with India to facilitate the influx of terrorists into the interior of the country. There have also been spurts in the number of madrasas and mosques, which have come up in areas bordering Bangladesh, especially West Bengal and Assam. There have been reports that these madrasas and mosques are being used for instilling fundamentalists ideas among the Muslim youths. The proclaimed aims of the Muslim fundamentalists are to ensure security, safeguard the overall interest of the Muslims and to establish a separate Islamic country.[5]

The Islamic fundamentalists groups have always attempted to separate the entire North-east from the rest of India by cutting off "chicken neck" area between North Bengal and Assam (a narrow alley between Sri Rampur in Assam and Jalpaiguri in North Bengal). This was precisely what China had threatened to do during the 1965 Indo-Pak war, but a stern warning of the Soviet Union of the consequences of any such action prevented China from carrying out its threat. As the chicken's neck area projects towards the east into the Brahmaputra Valley and connects the North-east with the rest of the country, the Islamic fundamentalist organisations have planned to control the area, which would make it easier for them to cut-off the entire North-east from the mainland.[6]

In recent years, there has been a tremendous growth of underground Islamic organisations which is causing headache among the Government circles. Such organisations collect huge amounts of money, particularly from the rich Muslim businessmen of the respective areas. Besides, the linkage of the fundamentalist groups with underground elements cannot be ruled out.[7]

Some Islamic fundamentalists are also entering Assam via Nepal, most of whom belong to the suicide squad. Political leaders are their main targets. Besides, they have also recruited Assamese Muslim youths from Hojai area of Nagaon district for

conducting their operations. These fundamentalists groups promise to give employment and shelter to those youths and is making payment for their work from the funds received from Saudi Arabia. The youths are also promised permanent settlement in Saudi Arabia in future.[8]

The Islamic terrorist organisations based in Bangladesh, are constantly trying to create disturbances in India in various ways, sometimes through arms and sometimes by distributing anti-Indian propaganda material in the name of propagating religion among Muslims in the North-east region. For instance, calenders showing photographs of Osama-bin-Laden were circulated in Karimganj district of Assam in 2001 and police also seized some CDs and cassettes of Laden at Tezpur in November, 2001. Again in November, 2002, Karimganj police recovered a large number of audio cassettes containing anti-Indian inflammatory and provocative speeches which were recorded in Bangladesh and were sent for free distribution among the Muslims in North-east.[9]

The Indian terrorist groups are also using the camps of the fundamentalist groups in Bangladesh as shelter for their top leaders, as channel for transportation of weapons and for various other illegal activities such as preparation of fake passports, visa, air tickets, etc. The arms and ammunitions are generally brought to Cox Bazar in Bangladesh from where these are transported to various terrorist camps in India and Bhutan.[10] The seizure of a huge cache of arms and ammunitions at Chittagong port of Bangladesh on April 2, 2004 was a clearly indication that the anti-Indian insurgent groups had planned to launch a devastating attack on Indian Armed forces as well as to create a law and order situation in India.[11]

These Indian terrorist groups are staying in Bangladesh with full knowledge of Bangladesh Government and its various agencies including BDR (Bangladesh Rifles) and DGFI (Directorate General of Forces Intelligence). The interrogation of a number of surrendered or arrested terrorists has provided valuable informations about the activities of Indian terrorist groups in Bangladesh, the location of their camps and the support provided to these groups by the Bangladesh Government agencies.[12] However, it has been reported that the Bangladesh Government, since last few years, has been taking measures for uprooting the Indian terrorists camps from Bangladesh so as to strengthen the existing friendly relations with India. The Bangladeshi troops had been successful in arresting a number of top leaders of the Indian terrorist organisations staying in Bangladesh who were later on handed over to India. As a result of such measures by the Bangladesh Government, some of the leaders of those organisations have been compelled to flee from Bangladesh and take shelter in some other countries such as China, Myanmar, etc. But inspite of all these attempts on the part of the Bangladesh Government to win over the confidence of India, the Government of the neighbouring country has till date denied the fact of large-scale influx of the Bangladeshi migrants to India.

According to Government sources in Assam, Bangladesh has refused to take back over 29,000 persons declared as illegal migrants by Foreigners' Tribunals since 1985, because Bangladesh does not recognize the verdicts given by India's Foreigners'

Tribunals. Bangladesh wants an international neutral body to verify the citizenship of these persons and only if it finds them to be Bangladesh citizens, the country is ready to take them back.[13] But as Bangladesh refused to take back its citizens, Assam government in 2010 set up detention camps in Goalpara, Kokrajhar and Silchar to put persons declared as illegal migrants by Foreigners' Tribunals in detention till they are pushed back.[14]

CONCLUDING OBSERVATIONS

From the above discussions it is seen that Bangladesh is regarded as a heaven by the Islamic fundamentalist groups as well as by the terrorist organisations of the North-east India. The Indian Government has totally failed to stop the influx from Bangladesh due to lack of political will on their part to solve this highly problematic issue and the desire to use these illegal migrants as vote banks for their own vested interest. It has been alleged that at many times the Border Security Force (BSF) personnels facilitate safe passages to the illegal Bangladeshi migrants in exchange for monetary benefits.

The problem of illegal immigration from Bangladesh should be treated as a national problem instead of regarding it as a regional issue. The warnings given by the Supreme Court of India in February 2001 as well as the observations made by the Group of Ministers (GoM) on internal security, needs serious consideration. The Government should take prompt measures to intensify the process of identification and deportation of the illegal migrants. The fencing along the entire India-Bangladesh border should be completed as early as possible and a very high security alert should be maintained along the entire border. People must be made aware of the ill-effects of the illegal migration so as to arrive at a national consensus. Multi-purpose Photo Identity Cards should be provided to all Indian nationals and steps should be taken for deleting the names of the illegal migrants from the Voter 's List. The National Register of Citizens (NRC) of 1951 should also be reviewed, computerised and updated and such updating should be done on a regular basis. Moreover, the registration of citizens should be made compulsory by law. But above all, there must be a strong political will of the Union Government, the State Governments and all the political parties to save the country from the menace of the illegal migrants, otherwise it will completely destroy the political, economic and social stability of not only the North-east, but of the whole country.

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